



# House of Representatives

General Assembly

**File No. 359**

January Session, 2005

Substitute House Bill No. 6344

*House of Representatives, April 14, 2005*

The Committee on Planning and Development reported through REP. WALLACE of the 109th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING THE PLACEMENT OF UNITED STATES FLAGS ON VETERANS' GRAVES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-297 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 The selectmen of towns, cemetery associations or ecclesiastical  
4 societies, having the care of cemeteries, may (1) enact bylaws  
5 providing for the care and management of all burial lots, and the  
6 protection of all shrubs, trees, fences and monuments thereon,  
7 provided no such bylaws shall (A) require or result in the removal or  
8 banishing of any undamaged United States flag or armed forces  
9 service marker, including flagholders provided by veterans  
10 organizations, from any grave site, or (B) restrict the placement of flags  
11 on the graves of veterans from the seventh day before Memorial Day  
12 and Veterans' Day in each year until the fourteenth day after each said

13 holiday, and [may] (2) appoint superintendents and sextons for such  
 14 cemeteries. [, who] Such superintendents and sextons shall have the  
 15 exclusive right to direct the opening of graves, and no grave shall be  
 16 opened in any cemetery except with the consent of the superintendent  
 17 or sexton. Any person to whom such bylaws have been made known  
 18 who violates the same shall be fined not more than ten dollars. The  
 19 incorporators, organizers or members of any cemetery association or, if  
 20 no incorporators, organizers or members are living, the owners of  
 21 burial lots therein, by a majority vote, may, at any meeting called for  
 22 that purpose, amend its articles of association or its bylaws.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	19a-297

**VA**      *Joint Favorable Subst. C/R*      PD

**PD**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***Explanation***

The bill established a time period during which organizations that maintain cemeteries cannot restrict people from placing flags on veterans' graves and will result in no fiscal impact.

**OLR Bill Analysis**

sHB 6344

**AN ACT CONCERNING THE PLACEMENT OF UNITED STATES  
FLAGS ON VETERANS' GRAVES**

**SUMMARY:**

This bill prohibits towns, cemetery associations, and ecclesiastical societies that care for cemeteries from enacting bylaws that restrict the placement of flags on veterans' graves in the seven days before and 14 days after Memorial Day and Veterans' Day. Under existing law, unchanged by the bill, the entities cannot enact bylaws that require or cause the removal or banishing of undamaged U.S. flags or armed forces' service markers, including flag holders provided by veterans' organizations, from grave sites.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Select Committee on Veterans' Affairs

Joint Favorable Substitute Change of Reference

Yea 13    Nay 0

Planning and Development Committee

Joint Favorable Substitute

Yea 18    Nay 0